FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

DISTRICT :

WRIT PETITION NO.5186 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.Prakash D. Gharge for the Petitioner.

Mr.P.G.Chavan for Respondent Nos.1 to 3.

CORAM : S.J.VAZIFDAR, J.
DATED : 8TH JANUARY, 2007

P.C:

The impugned order warrants no interference. The learned Judge has come to a prima-facie conclusion that the Respondents are in possession on the basis of various facts. For instance, the document by which they acquired the property, itself records that the possession was handed over to them. The revenue entries were made on the basis of the said transaction. The photographs indicate that the Petitioners were cultivating the land. The affidavit of documents is filed.

2. The only qualification to the order is that the Petitioner also requires to be protected pending the hearing and final disposal of the suit.

3. Thus, pending the hearing and final disposal of the suit, the Respondents shall also not alienate, encumber, part with possession of, or create any third party rights in respect of the suit premises.

4. Writ Petitioner is accordingly disposed of.